

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS,	:	
	:	NO. 02-CV-2881
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION & PAROLE,	:	
EDWARD JONES, and MICHAEL BUKATA	:	
	:	
Defendants.	:	
	:	

**DEFENDANTS REPLY MEMORANDUM IN FURTHER SUPPORT OF THEIR
MOTION FOR PROTECTIVE ORDER PURSUANT TO FED. R. CIV. P. 26(c)**

Defendants, Defendants, the PennsDefendants, the PennsyDefendants, the
(the(the "Board"), Willie E. Jones (improperly pled as Edward
Jones) ("Mr. Jones) ("Mr. Jones"), and Michael Bukata (Mr. Buka
(collectively the Defendants), by their attorneys, respectfully
submitsubmit this Reply Memorandum of Law In Further Support Of Their
MotionMotion for Protective Order Pursuant to Fed. R. Civ. P. 26(c)
(Motion for Protective Order).

LEGAL ARGUMENT

Mr. Watkins alleges that Defendants, not Allen Castor (Mr.
Castor)Castor), retaliated against him because of his role in a sevenCastor
yearyear old settlement agreement. In his Complaint, however, Mr.
WatkinsWatkins dWatkins does Watkins does not allege that any s
discriminatory action occurred until an unspecified date in 2000.
See Compla Complaint at ¶ Complaint at ¶ 9, 15 (Plaintiff s Exhibit
settlement agreement is, therefore, entirely unrelated to the Mr.

Watkins Watkins 2002 claims. Thus, the information sought by Mr. CastorCastor Castor s deposition is not relevant. See Rhone-Po Indem.Indem. Co., Civ. A. No. 88-9752, 1992 WL 210159, at *1 (E.D. Pa. Aug.Aug. 19, 1992)(standard Aug. 19, 1992)(standard for Aug. 19, 1992)(sta considerationconsideration of relevance of the information consideration of the proposed source possesses such relevant information).¹

Moreover, Plaintiff's counsel has argued that in a similar case they brought, and which remains pending, against the Board. Defendants' request to bar Mr. Castor's deposition in that case was granted based upon Mr. Castor's involvement in the matter. See Burton v. Pa. Board of Prisoners' Discipline, Civ. Action No. 01-2573 (E.D. Pa. November 15, 2002) (Judge Angell) (Exhibit A).

Accordingly, Accordingly, Defendants Motion for Protective Order Accordingly granted.

1 Contrary to Plaintiff Contrary to Plaintiff s Contrary to Plaintiff
motion is untimely, Plaintiff served Mr. Castor with a subpoena
onon Thursday, November 14, 2002, two (2) business days befoon Thursd
DefendantsDefendants filed their motionDefendants filed their motion with
18,18, 2002. Until service of the subpoena, Defendants had not
abandonedabandoned hope that the issue could still be resolved amicably
without Court intervention. Thus, Defendants motion is timely.

Respectfully submitted,

MILLER, ALFANO & RASPANTI, P.C.

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and Michael Bukata

Dated: November 25, 2002

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CERTIFICATE OF SERVICE

____I herebyI hereby certifyI hereby certify that a true and correct copy of
pleading,pleading, Defendants Reply Memorandumpleading, Defendants Reply M
TheirTheir Motion for Protective Order Pursuant toTheir Motion for Protective
has has been served on this date upon the individual and in the manner
indicated below:

VIA HAND DELIVERY

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